HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21537 of 2006

Dated:18.10.2006

Between:

Salegandla Subbanna.

…Petitioners

and

The Sub-Registrar.

…Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21537 of 2006

ORDER:

The petitioner statedly purchased land admeasuring Acs.2.00 out of Acs.3.50 cents in Survey No.1005/1 of Chinna Chowk Village, Putlapalli Panchayat in Kadapa District from one Smt.M.Lakshmi Devamma for valid sale consideration. The petitioner entered into agreement of sale and executed sale deed on 25.09.2006 in favour of Sri K.Bala Mallikharjuna Chetty and others and received sale consideration. The petitioner approached the respondent for registration of the sale deeds. The respondent allegedly refused to register the same and informed the petitioner to obtain No Objection Certificate from the Mandal Revenue Officer, aggrieved by the same, the present writ petition is filed.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 to 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004, dated 01.09.2004.

Following the above, this writ petition is disposed of directing the respondent or any other Registering Officer to accept the document presented by the petitioner and consider for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. No costs.

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(V.V.S.RAO, J)

18.10.2006

Note: Issue C.C in one week.

B/o.

vs